

House File 2521 - Reprinted

HOUSE FILE _____
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HSB 708)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to and making appropriations to certain state
2 departments, agencies, funds, and certain other entities,
3 providing for regulatory authority, and other properly related
4 matters and providing an effective date.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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1 1 DIVISION I
1 2 ADMINISTRATION AND REGULATION APPROPRIATIONS
1 3 Section 1. DEPARTMENT OF ADMINISTRATIVE SERVICES. There
1 4 is appropriated from the general fund of the state to the
1 5 department of administrative services for the fiscal year
1 6 beginning July 1, 2006, and ending June 30, 2007, the
1 7 following amounts, or so much thereof as is necessary, to be
1 8 used for the purposes designated:
1 9 1. For salaries, support, maintenance, and miscellaneous
1 10 purposes, and for not more than the following full-time
1 11 equivalent positions:
1 12 \$ 5,048,824
1 13 FTEs 443.68
1 14 UTILITY COSTS
1 15 2. For the payment of utility costs:
1 16 \$ 3,080,865
1 17 It is the intent of the general assembly that the
1 18 department shall reduce utility costs through energy
1 19 conservation practices. The goal of the general assembly is
1 20 to reduce energy use by ten percent to save money, conserve
1 21 energy resources, and reduce pollution.
1 22 3. For financial administration duties:
1 23 \$ 200,000
1 24 4. Members of the general assembly serving as members of
1 25 the deferred compensation advisory board shall be entitled to
1 26 receive per diem and necessary travel and actual expenses
1 27 pursuant to section 2.10, subsection 5, while carrying out
1 28 their official duties as members of the board.
1 29 5. Any funds and premiums collected by the department for
1 30 workers' compensation shall be segregated into a separate
1 31 workers' compensation fund in the state treasury to be used
1 32 for payment of state employees' workers' compensation claims
1 33 and administrative costs. Notwithstanding section 8.33,
1 34 unencumbered or unobligated moneys remaining in this workers'
1 35 compensation fund at the end of the fiscal year shall not
2 1 revert but shall be available for expenditure for purposes of
2 2 the fund for subsequent fiscal years.
2 3 Sec. 2. DEPARTMENTAL START-UP FUNDING == REVOLVING FUNDS.
2 4 1. In addition to the amount appropriated to the
2 5 department of administrative services in section 1, subsection
2 6 1 of this Act, the department is authorized to expend an
2 7 additional amount not to exceed \$359,560 per fiscal year for
2 8 the purposes of the department for the fiscal period
2 9 commencing July 1, 2006, and ending June 30, 2010, and an
2 10 additional amount not to exceed \$91,810 for the fiscal year
2 11 commencing July 1, 2010. Such amounts shall be expended from
2 12 general fund moneys deposited in revolving funds under the
2 13 control of the department that were appropriated to the
2 14 department pursuant to 2004 Iowa Acts, chapter 1175, section
2 15 2.
2 16 2. Amounts expended pursuant to this section shall be

2 17 considered repayment amounts to the general fund and shall
2 18 reduce the total amount to be repaid to the general fund until
2 19 such time as the total amount of the general fund moneys
2 20 deposited in revolving funds under the control of the
2 21 department that were appropriated to the department pursuant
2 22 to 2004 Iowa Acts, chapter 1175, section 2, are repaid.

2 23 Sec. 3. REVOLVING FUNDS. There is appropriated to the
2 24 department of administrative services for the fiscal year
2 25 beginning July 1, 2006, and ending June 30, 2007, from the
2 26 revolving funds designated in chapter 8A and from internal
2 27 service funds created by the department, such amounts as the
2 28 department deems necessary for the operation of the department
2 29 consistent with the requirements of chapter 8A.

2 30 Sec. 4. FUNDING FOR IOWACCESS.

2 31 1. Notwithstanding section 321A.3, subsection 1, for the
2 32 fiscal year beginning July 1, 2006, and ending June 30, 2007,
2 33 the first \$1,000,000 collected and transferred by the
2 34 department of transportation to the treasurer of state with
2 35 respect to the fees for transactions involving the furnishing
3 1 of a certified abstract of a vehicle operating record under
3 2 section 321A.3, subsection 1, shall be transferred to the
3 3 IowaAccess revolving fund established by section 8A.224 and
3 4 administered by the department of administrative services for
3 5 the purposes of developing, implementing, maintaining, and
3 6 expanding electronic access to government records as provided
3 7 by law.

3 8 2. All fees collected with respect to transactions
3 9 involving IowaAccess shall be deposited in the IowaAccess
3 10 revolving fund and shall be used only for the support of
3 11 IowaAccess projects.

3 12 Sec. 5. STATE EMPLOYEE HEALTH INSURANCE ADMINISTRATION
3 13 CHARGE. For the fiscal year beginning July 1, 2006, and
3 14 ending June 30, 2007, the monthly per contract administrative
3 15 charge which may be assessed by the department of
3 16 administrative services shall be \$2.00 per contract on all
3 17 health insurance plans administered by the department.

3 18 Sec. 6. AUDITOR OF STATE. There is appropriated from the
3 19 general fund of the state to the office of the auditor of
3 20 state for the fiscal year beginning July 1, 2006, and ending
3 21 June 30, 2007, the following amount, or so much thereof as is
3 22 necessary, to be used for the purposes designated:

3 23 For salaries, support, maintenance, and miscellaneous
3 24 purposes, and for not more than the following full-time
3 25 equivalent positions:

3 26 \$ 1,207,341
3 27 FTEs 102.50

3 28 The auditor of state may retain additional full-time
3 29 equivalent positions as is reasonable and necessary to perform
3 30 governmental subdivision audits which are reimbursable
3 31 pursuant to section 11.20 or 11.21, to perform audits which
3 32 are requested by and reimbursable from the federal government,
3 33 and to perform work requested by and reimbursable from
3 34 departments or agencies pursuant to section 11.5A or 11.5B.

3 35 The auditor of state shall notify the department of
4 1 management, the legislative fiscal committee, and the
4 2 legislative services agency of the additional full-time
4 3 equivalent positions retained.

4 4 Sec. 7. IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD. There
4 5 is appropriated from the general fund of the state to the Iowa
4 6 ethics and campaign disclosure board for the fiscal year
4 7 beginning July 1, 2006, and ending June 30, 2007, the
4 8 following amount, or so much thereof as is necessary, for the
4 9 purposes designated:

4 10 For salaries, support, maintenance, and miscellaneous
4 11 purposes, and for not more than the following full-time
4 12 equivalent positions:

4 13 \$ 497,056
4 14 FTEs 6.00

4 15 Sec. 8. DEPARTMENT OF COMMERCE. There is appropriated
4 16 from the general fund of the state to the department of
4 17 commerce for the fiscal year beginning July 1, 2006, and
4 18 ending June 30, 2007, the following amounts, or so much
4 19 thereof as is necessary, for the purposes designated:

4 20 1. ALCOHOLIC BEVERAGES DIVISION

4 21 For salaries, support, maintenance, and miscellaneous
4 22 purposes, and for not more than the following full-time
4 23 equivalent positions:

4 24 \$ 1,930,962
4 25 FTEs 36.00

4 26 2. BANKING DIVISION

4 27 For salaries, support, maintenance, and miscellaneous

4 28 purposes, and for not more than the following full=time
 4 29 equivalent positions:
 4 30 \$ 7,222,008
 4 31 FTEs 71.00
 4 32 3. CREDIT UNION DIVISION
 4 33 For salaries, support, maintenance, and miscellaneous
 4 34 purposes, and for not more than the following full=time
 4 35 equivalent positions:
 5 1 \$ 1,455,874
 5 2 FTEs 18.00
 5 3 4. INSURANCE DIVISION
 5 4 a. For salaries, support, maintenance, and miscellaneous
 5 5 purposes, and for not more than the following full=time
 5 6 equivalent positions:
 5 7 \$ 4,517,481
 5 8 FTEs 101.00
 5 9 b. The insurance division may reallocate authorized full=
 5 10 time equivalent positions as necessary to respond to
 5 11 accreditation recommendations or requirements. The insurance
 5 12 division expenditures for examination purposes may exceed the
 5 13 projected receipts, refunds, and reimbursements, estimated
 5 14 pursuant to section 505.7, subsection 7, including the
 5 15 expenditures for retention of additional personnel, if the
 5 16 expenditures are fully reimbursable and the division first
 5 17 does both of the following:
 5 18 (1) Notifies the department of management, the legislative
 5 19 services agency, and the legislative fiscal committee of the
 5 20 need for the expenditures.
 5 21 (2) Files with each of the entities named in subparagraph
 5 22 (1) the legislative and regulatory justification for the
 5 23 expenditures, along with an estimate of the expenditures.
 5 24 c. The insurance division shall allocate \$10,000 from the
 5 25 examination receipts for the payment of its fees to the
 5 26 national council of insurance legislators.
 5 27 5. PROFESSIONAL LICENSING AND REGULATION BUREAU
 5 28 For salaries, support, maintenance, and miscellaneous
 5 29 purposes, and for not more than the following full=time
 5 30 equivalent positions:
 5 31 \$ 793,462
 5 32 FTEs 13.50
 5 33 6. UTILITIES DIVISION
 5 34 a. For salaries, support, maintenance, and miscellaneous
 5 35 purposes, and for not more than the following full=time
 6 1 equivalent positions:
 6 2 \$ 7,230,820
 6 3 FTEs 79.00
 6 4 b. The utilities division may expend additional funds,
 6 5 including funds for additional personnel, if those additional
 6 6 expenditures are actual expenses which exceed the funds
 6 7 budgeted for utility regulation and the expenditures are fully
 6 8 reimbursable. Before the division expends or encumbers an
 6 9 amount in excess of the funds budgeted for regulation, the
 6 10 division shall first do both of the following:
 6 11 (1) Notify the department of management, the legislative
 6 12 services agency, and the legislative fiscal committee of the
 6 13 need for the expenditures.
 6 14 (2) File with each of the entities named in subparagraph
 6 15 (1) the legislative and regulatory justification for the
 6 16 expenditures, along with an estimate of the expenditures.
 6 17 7. CHARGES == TRAVEL. Each division and the office of
 6 18 consumer advocate shall include in its charges assessed or
 6 19 revenues generated, an amount sufficient to cover the amount
 6 20 stated in its appropriation, and any state=assessed indirect
 6 21 costs determined by the department of administrative services.
 6 22 The director of the department of commerce shall review on a
 6 23 quarterly basis all out-of-state travel for the previous
 6 24 quarter for officers and employees of each division of the
 6 25 department if the travel is not already authorized by the
 6 26 executive council.
 6 27 Sec. 9. DEPARTMENT OF COMMERCE == PROFESSIONAL LICENSING
 6 28 AND REGULATION. There is appropriated from the housing
 6 29 improvement fund of the Iowa department of economic
 6 30 development to the bureau of professional licensing and
 6 31 regulation of the banking division of the department of
 6 32 commerce for the fiscal year beginning July 1, 2006, and
 6 33 ending June 30, 2007, the following amount, or so much thereof
 6 34 as is necessary, to be used for the purposes designated:
 6 35 For salaries, support, maintenance, and miscellaneous
 7 1 purposes:
 7 2 \$ 62,317
 7 3 Sec. 10. GOVERNOR AND LIEUTENANT GOVERNOR. There is

7 4 appropriated from the general fund of the state to the offices
 7 5 of the governor and the lieutenant governor for the fiscal
 7 6 year beginning July 1, 2006, and ending June 30, 2007, the
 7 7 following amounts, or so much thereof as is necessary, to be
 7 8 used for the purposes designated:
 7 9 1. GENERAL OFFICE
 7 10 For salaries, support, maintenance, and miscellaneous
 7 11 purposes for the general office of the governor and the
 7 12 general office of the lieutenant governor, and for not more
 7 13 than the following full-time equivalent positions:
 7 14 \$ 1,823,111
 7 15 FTEs 19.25
 7 16 2. TERRACE HILL QUARTERS
 7 17 For salaries, support, maintenance, and miscellaneous
 7 18 purposes for the governor's quarters at Terrace Hill, and for
 7 19 not more than the following full-time equivalent positions:
 7 20 \$ 378,633
 7 21 FTEs 8.00
 7 22 3. ADMINISTRATIVE RULES COORDINATOR
 7 23 For salaries, support, maintenance, and miscellaneous
 7 24 purposes for the office of administrative rules coordinator,
 7 25 and for not more than the following full-time equivalent
 7 26 positions:
 7 27 \$ 150,013
 7 28 FTEs 3.00
 7 29 4. NATIONAL GOVERNORS ASSOCIATION
 7 30 For payment of Iowa's membership in the national governors
 7 31 association:
 7 32 \$ 64,393
 7 33 5. STATE-FEDERAL RELATIONS
 7 34 For salaries, support, maintenance, and miscellaneous
 7 35 purposes, and for not more than the following full-time
 8 1 equivalent positions:
 8 2 \$ 115,748
 8 3 FTEs 2.00
 8 4 Sec. 11. GOVERNOR'S OFFICE OF DRUG CONTROL POLICY.
 8 5 1. There is appropriated from the general fund of the
 8 6 state to the governor's office of drug control policy for the
 8 7 fiscal year beginning July 1, 2006, and ending June 30, 2007,
 8 8 the following amount, or so much thereof as is necessary, to
 8 9 be used for the purposes designated:
 8 10 For salaries, support, maintenance, and miscellaneous
 8 11 purposes, including statewide coordination of the drug abuse
 8 12 resistance education (D.A.R.E.) programs or similar programs,
 8 13 and for not more than the following full-time equivalent
 8 14 positions:
 8 15 \$ 307,730
 8 16 FTEs 8.00
 8 17 2. The governor's office of drug control policy, in
 8 18 consultation with the Iowa department of public health, and
 8 19 after discussion and collaboration with all interested
 8 20 agencies, shall coordinate substance abuse treatment and
 8 21 prevention efforts in order to avoid duplication of services.
 8 22 Sec. 12. DEPARTMENT OF HUMAN RIGHTS. There is
 8 23 appropriated from the general fund of the state to the
 8 24 department of human rights for the fiscal year beginning July
 8 25 1, 2006, and ending June 30, 2007, the following amounts, or
 8 26 so much thereof as is necessary, to be used for the purposes
 8 27 designated:
 8 28 1. CENTRAL ADMINISTRATION DIVISION
 8 29 For salaries, support, maintenance, and miscellaneous
 8 30 purposes, and for not more than the following full-time
 8 31 equivalent positions:
 8 32 \$ 317,028
 8 33 FTEs 7.00
 8 34 2. DEAF SERVICES DIVISION
 8 35 For salaries, support, maintenance, and miscellaneous
 9 1 purposes, and for not more than the following full-time
 9 2 equivalent positions:
 9 3 \$ 374,367
 9 4 FTEs 6.00
 9 5 The fees collected by the division for provision of
 9 6 interpretation services by the division to obligated agencies
 9 7 shall be disbursed pursuant to the provisions of section 8.32,
 9 8 and shall be dedicated and used by the division for continued
 9 9 and expanded interpretation services.
 9 10 3. STATUS OF IOWANS OF ASIAN AND PACIFIC ISLANDER HERITAGE
 9 11 DIVISION
 9 12 For support, maintenance, and miscellaneous purposes:
 9 13 \$ 6,000
 9 14 4. PERSONS WITH DISABILITIES DIVISION

9 15 For salaries, support, maintenance, and miscellaneous
 9 16 purposes, and for not more than the following full-time
 9 17 equivalent positions:
 9 18 \$ 193,531
 9 19 FTEs 3.20
 9 20 5. LATINO AFFAIRS DIVISION
 9 21 For salaries, support, maintenance, and miscellaneous
 9 22 purposes, and for not more than the following full-time
 9 23 equivalent positions:
 9 24 \$ 170,749
 9 25 FTEs 3.00
 9 26 6. STATUS OF WOMEN DIVISION
 9 27 For salaries, support, maintenance, and miscellaneous
 9 28 purposes, including the Iowans in transition program, and the
 9 29 domestic violence and sexual assault-related grants, and for
 9 30 not more than the following full-time equivalent positions:
 9 31 \$ 335,501
 9 32 FTEs 3.00
 9 33 7. STATUS OF AFRICAN-AMERICANS DIVISION
 9 34 For salaries, support, maintenance, and miscellaneous
 9 35 purposes, and for not more than the following full-time
 10 1 equivalent positions:
 10 2 \$ 121,655
 10 3 FTEs 2.00
 10 4 8. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION
 10 5 For salaries, support, maintenance, and miscellaneous
 10 6 purposes, and for not more than the following full-time
 10 7 equivalent positions:
 10 8 \$ 1,098,026
 10 9 FTEs 12.18
 10 10 The criminal and juvenile justice planning advisory council
 10 11 and the juvenile justice advisory council shall coordinate
 10 12 their efforts in carrying out their respective duties relative
 10 13 to juvenile justice.
 10 14 9. SHARED STAFF. The divisions of the department of human
 10 15 rights shall retain their individual administrators, but shall
 10 16 share staff to the greatest extent possible.
 10 17 Sec. 13. DEPARTMENT OF INSPECTIONS AND APPEALS. There is
 10 18 appropriated from the general fund of the state to the
 10 19 department of inspections and appeals for the fiscal year
 10 20 beginning July 1, 2006, and ending June 30, 2007, the
 10 21 following amounts, or so much thereof as is necessary, for the
 10 22 purposes designated:
 10 23 1. ADMINISTRATION DIVISION
 10 24 For salaries, support, maintenance, and miscellaneous
 10 25 purposes, and for not more than the following full-time
 10 26 equivalent positions:
 10 27 \$ 1,657,318
 10 28 FTEs 33.25
 10 29 2. ADMINISTRATIVE HEARINGS DIVISION
 10 30 For salaries, support, maintenance, and miscellaneous
 10 31 purposes, and for not more than the following full-time
 10 32 equivalent positions:
 10 33 \$ 634,647
 10 34 FTEs 23.00
 10 35 3. INVESTIGATIONS DIVISION
 11 1 For salaries, support, maintenance, and miscellaneous
 11 2 purposes, and for not more than the following full-time
 11 3 equivalent positions:
 11 4 \$ 1,484,421
 11 5 FTEs 45.00
 11 6 4. HEALTH FACILITIES DIVISION
 11 7 For salaries, support, maintenance, and miscellaneous
 11 8 purposes, and for not more than the following full-time
 11 9 equivalent positions:
 11 10 \$ 2,339,742
 11 11 FTEs 118.25
 11 12 5. EMPLOYMENT APPEAL BOARD
 11 13 For salaries, support, maintenance, and miscellaneous
 11 14 purposes, and for not more than the following full-time
 11 15 equivalent positions:
 11 16 \$ 54,600
 11 17 FTEs 15.00
 11 18 The employment appeal board shall be reimbursed by the
 11 19 labor services division of the department of workforce
 11 20 development for all costs associated with hearings conducted
 11 21 under chapter 91C, related to contractor registration. The
 11 22 board may expend, in addition to the amount appropriated under
 11 23 this subsection, additional amounts as are directly billable
 11 24 to the labor services division under this subsection and to
 11 25 retain the additional full-time equivalent positions as needed

11 26 to conduct hearings required pursuant to chapter 91C.
11 27 6. CHILD ADVOCACY BOARD
11 28 For foster care review and the court appointed special
11 29 advocate program, including salaries, support, maintenance,
11 30 and miscellaneous purposes, and for not more than the
11 31 following full-time equivalent positions:
11 32 \$ 2,068,667
11 33 FTEs 38.99
11 34 a. The department of human services, in coordination with
11 35 the child advocacy board, and the department of inspections
12 1 and appeals, shall submit an application for funding available
12 2 pursuant to Title IV-E of the federal Social Security Act for
12 3 claims for child advocacy board, administrative review costs.
12 4 b. The court appointed special advocate program shall
12 5 investigate and develop opportunities for expanding fund=
12 6 raising for the program.
12 7 c. Administrative costs charged by the department of
12 8 inspections and appeals for items funded under this subsection
12 9 shall not exceed 4 percent of the amount appropriated in this
12 10 subsection.
12 11 Sec. 14. RACING AND GAMING COMMISSION.
12 12 1. RACETRACK REGULATION
12 13 There is appropriated from the general fund of the state to
12 14 the racing and gaming commission of the department of
12 15 inspections and appeals for the fiscal year beginning July 1,
12 16 2006, and ending June 30, 2007, the following amount, or so
12 17 much thereof as is necessary, to be used for the purposes
12 18 designated:
12 19 For salaries, support, maintenance, and miscellaneous
12 20 purposes for the regulation of pari-mutuel racetracks, and for
12 21 not more than the following full-time equivalent positions:
12 22 \$ 2,657,394
12 23 FTEs 27.53
12 24 2. EXCURSION BOAT REGULATION
12 25 There is appropriated from the general fund of the state to
12 26 the racing and gaming commission of the department of
12 27 inspections and appeals for the fiscal year beginning July 1,
12 28 2006, and ending June 30, 2007, the following amount, or so
12 29 much thereof as is necessary, to be used for the purposes
12 30 designated:
12 31 For salaries, support, maintenance, and miscellaneous
12 32 purposes for administration and enforcement of the excursion
12 33 boat gambling laws, and for not more than the following full=
12 34 time equivalent positions:
12 35 \$ 3,199,440
13 1 FTEs 43.22
13 2 Sec. 15. USE TAX APPROPRIATION. There is appropriated
13 3 from the use tax receipts collected pursuant to sections
13 4 423.26 and 423.27 prior to their deposit in the road use tax
13 5 fund pursuant to section 423.43 to the administrative hearings
13 6 division of the department of inspections and appeals for the
13 7 fiscal year beginning July 1, 2006, and ending June 30, 2007,
13 8 the following amount, or so much thereof as is necessary, for
13 9 the purposes designated:
13 10 For salaries, support, maintenance, and miscellaneous
13 11 purposes:
13 12 \$ 1,482,436
13 13 Sec. 16. DEPARTMENT OF MANAGEMENT. There is appropriated
13 14 from the general fund of the state to the department of
13 15 management for the fiscal year beginning July 1, 2006, and
13 16 ending June 30, 2007, the following amounts, or so much
13 17 thereof as is necessary, to be used for the purposes
13 18 designated:
13 19 1. GENERAL OFFICE
13 20 For salaries, support, maintenance, and miscellaneous
13 21 purposes, and for not more than the following full-time
13 22 equivalent positions:
13 23 \$ 2,244,335
13 24 FTEs 32.00
13 25 2. ENTERPRISE RESOURCE PLANNING
13 26 If funding is provided for the redesign of the enterprise
13 27 resource planning budget system for the fiscal year beginning
13 28 July 1, 2006, then there is appropriated from the general fund
13 29 of the state to the department of management for the fiscal
13 30 year beginning July 1, 2006, and ending June 30, 2007, the
13 31 following amount, or so much thereof as is necessary, to be
13 32 used for the purposes designated:
13 33 For salaries, support, maintenance, and miscellaneous
13 34 purposes for administration of the enterprise resource
13 35 planning system, and for not more than the following full-time
14 1 equivalent position:

14 2 \$ 57,435
14 3 FTEs 1.00
14 4 3. SALARY MODEL ADMINISTRATOR
14 5 For salaries, support, and miscellaneous purposes of
14 6 the salary model administrator, and for not more than
14 7 the following full-time equivalent position:
14 8 \$ 127,936
14 9 FTEs 1.00
14 10 The salary model administrator shall work in conjunction
14 11 with the legislative services agency to maintain the state's
14 12 salary model used for analyzing, comparing, and projecting
14 13 state employee salary and benefit information, including
14 14 information relating to employees of the state board of
14 15 regents. The department of revenue, the department of
14 16 administrative services, the five institutions under the
14 17 jurisdiction of the state board of regents, the judicial
14 18 district departments of correctional services, and the state
14 19 department of transportation shall provide salary data to the
14 20 department of management and the legislative services agency
14 21 to operate the state's salary model. The format and frequency
14 22 of provision of the salary data shall be determined by the
14 23 department of management and the legislative services agency.
14 24 The information shall be used in collective bargaining
14 25 processes under chapter 20 and in calculating the funding
14 26 needs contained within the annual salary adjustment
14 27 legislation. A state employee organization as defined in
14 28 section 20.3, subsection 4, may request information produced
14 29 by the model, but the information provided shall not contain
14 30 information attributable to individual employees.
14 31 4. For conducting performance audits and developing
14 32 performance measures, including salaries, support,
14 33 maintenance, miscellaneous purposes, and for not more than the
14 34 following full-time equivalent positions:
14 35 \$ 108,000
15 1 FTEs 2.50
15 2 5. For the department's LEAN process, including salaries,
15 3 support, maintenance, miscellaneous purposes, and for not more
15 4 than the following full-time equivalent position:
15 5 \$ 108,000
15 6 FTEs 1.00
15 7 Sec. 17. ROAD USE TAX APPROPRIATION. There is
15 8 appropriated from the road use tax fund to the department of
15 9 management for the fiscal year beginning July 1, 2006, and
15 10 ending June 30, 2007, the following amount, or so much thereof
15 11 as is necessary, to be used for the purposes designated:
15 12 For salaries, support, maintenance, and miscellaneous
15 13 purposes:
15 14 \$ 56,000
15 15 Sec. 18. DEPARTMENT OF REVENUE. There is appropriated
15 16 from the general fund of the state to the department of
15 17 revenue for the fiscal year beginning July 1, 2006, and ending
15 18 June 30, 2007, the following amounts, or so much thereof as is
15 19 necessary, to be used for the purposes designated:
15 20 For salaries, support, maintenance, and miscellaneous
15 21 purposes, and for not more than the following full-time
15 22 equivalent positions:
15 23 \$ 23,138,575
15 24 FTEs 392.64
15 25 Of the funds appropriated pursuant to this section,
15 26 \$400,000 shall be used to pay the direct costs of compliance
15 27 related to the collection and distribution of local sales and
15 28 services taxes imposed pursuant to chapters 423B and 423E.
15 29 The director of revenue shall prepare and issue a state
15 30 appraisal manual and the revisions to the state appraisal
15 31 manual as provided in section 421.17, subsection 17, without
15 32 cost to a city or county.
15 33 The department of revenue shall submit a written report to
15 34 the general assembly by January 1, 2007, concerning the
15 35 department's progress in developing a system to track tax
16 1 credits.
16 2 Sec. 19. MOTOR VEHICLE FUEL TAX APPROPRIATION. There is
16 3 appropriated from the motor fuel tax fund created by section
16 4 452A.77 to the department of revenue for the fiscal year
16 5 beginning July 1, 2006, and ending June 30, 2007, the
16 6 following amount, or so much thereof as is necessary, to be
16 7 used for the purposes designated:
16 8 For salaries, support, maintenance, and miscellaneous
16 9 purposes for administration and enforcement of the provisions
16 10 of chapter 452A and the motor vehicle use tax program:
16 11 \$ 1,258,042
16 12 Sec. 20. SECRETARY OF STATE. There is appropriated from

16 13 the general fund of the state to the office of the secretary
 16 14 of state for the fiscal year beginning July 1, 2006, and
 16 15 ending June 30, 2007, the following amounts, or so much
 16 16 thereof as is necessary, to be used for the purposes
 16 17 designated:

16 18 1. ADMINISTRATION AND ELECTIONS
 16 19 For salaries, support, maintenance, and miscellaneous
 16 20 purposes, and for not more than the following full-time
 16 21 equivalent positions:

16 22	\$	707,942
16 23	FTEs	10.00

16 24 The state department or state agency which provides data
 16 25 processing services to support voter registration file
 16 26 maintenance and storage shall provide those services without
 16 27 charge.

16 28 2. BUSINESS SERVICES
 16 29 For salaries, support, maintenance, and miscellaneous
 16 30 purposes, and for not more than the following full-time
 16 31 equivalent positions:

16 32	\$	2,003,091
16 33	FTEs	32.00

16 34 Sec. 21. SECRETARY OF STATE FILING FEES REFUND.
 16 35 Notwithstanding the obligation to collect fees pursuant to the
 17 1 provisions of section 490.122, subsection 1, paragraphs "a"
 17 2 and "s", and section 504.113, subsection 1, paragraphs "a",
 17 3 "c", "d", "j", "k", "l", and "m", for the fiscal year
 17 4 beginning July 1, 2006, and ending June 30, 2007, the
 17 5 secretary of state may refund these fees to the filer pursuant
 17 6 to rules established by the secretary of state. The decision
 17 7 of the secretary of state not to issue a refund under rules
 17 8 established by the secretary of state is final and not subject
 17 9 to review pursuant to the provisions of the Iowa
 17 10 administrative procedure Act, chapter 17A.

17 11 Sec. 22. TREASURER. There is appropriated from the
 17 12 general fund of the state to the office of treasurer of state
 17 13 for the fiscal year beginning July 1, 2006, and ending June
 17 14 30, 2007, the following amount, or so much thereof as is
 17 15 necessary, to be used for the purposes designated:

17 16 For salaries, support, maintenance, and miscellaneous
 17 17 purposes, and for not more than the following full-time
 17 18 equivalent positions:

17 19	\$	922,899
17 20	FTEs	28.80

17 21 The office of treasurer of state shall supply clerical and
 17 22 secretarial support for the executive council.

17 23 Sec. 23. IPERS == GENERAL OFFICE. There is appropriated
 17 24 from the Iowa public employees' retirement system fund to the
 17 25 Iowa public employees' retirement system for the fiscal year
 17 26 beginning July 1, 2006, and ending June 30, 2007, the
 17 27 following amount, or so much thereof as is necessary, to be
 17 28 used for the purposes designated:

17 29 For salaries, support, maintenance, and other operational
 17 30 purposes to pay the costs of the Iowa public employees'
 17 31 retirement system, and for not more than the following full-
 17 32 time equivalent positions:

17 33	\$	16,756,131
17 34	FTEs	95.13

17 35 Sec. 24. TRAVEL POLICY.

18 1 1. For the fiscal year beginning July 1, 2006, each
 18 2 department or independent agency receiving an appropriation in
 18 3 this Act shall review the employee policy for daily or short-
 18 4 term travel including but not limited to the usage of motor
 18 5 pool vehicles under the department of administrative services,
 18 6 employee mileage reimbursement for the use of a personal
 18 7 vehicle, and the usage of private automobile rental companies.
 18 8 Following the review, the department or agency shall implement
 18 9 revisions in the employee policy for daily or short-term
 18 10 travel as necessary to maximize cost savings.

18 11 2. Each department or independent agency subject to
 18 12 subsection 1 shall report to the general assembly's standing
 18 13 committees on government oversight regarding the policy
 18 14 revisions implemented and the savings realized from the
 18 15 changes. An initial report shall be submitted on or before
 18 16 December 1, 2006, and a follow-up report shall be submitted on
 18 17 or before December 1, 2007.

18 18 Sec. 25. 2005 Iowa Acts, chapter 179, section 32, is
 18 19 amended by adding the following new unnumbered paragraph:

18 20 NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33,
 18 21 moneys appropriated in this section that remain unencumbered
 18 22 or unobligated at the close of the fiscal year shall not
 18 23 revert but shall remain available for expenditure for the

18 24 purposes designated during the succeeding fiscal year.
18 25 Sec. 26. EFFECTIVE DATE. The section of this division of
18 26 this Act amending 2005 Iowa Acts, chapter 179, being deemed of
18 27 immediate importance, takes effect upon enactment.

18 28 DIVISION II

18 29 MISCELLANEOUS PROVISIONS

18 30 Sec. 27. Section 421.17, subsection 27, paragraphs a, c,
18 31 d, e, g, and h, Code Supplement 2005, are amended to read as
18 32 follows:

18 33 a. To establish, administer, and make available a
18 34 centralized debt collection capability and procedure for the
18 35 use by any state agency ~~as defined in section 8A.504 or local~~
19 1 ~~government entity including, but not limited to, the~~
19 2 ~~department of revenue, along with other boards, commissions,~~
19 3 ~~departments, and any other entity reported in the Iowa~~
19 4 ~~comprehensive annual financial report, to collect delinquent~~
19 5 ~~accounts, charges, fees, loans, taxes, or other indebtedness~~
19 6 ~~owed to or being collected by the state. The department's~~
19 7 ~~collection facilities shall only be available for use by other~~
19 8 ~~state agencies or local government entities for their~~
19 9 ~~discretionary use when resources are available to the director~~
19 10 ~~and subject to the director's determination that use of the~~
19 11 ~~procedure is feasible. The director shall prescribe the~~
19 12 ~~appropriate form and manner in which this information is to be~~
19 13 ~~submitted to the office of the department. The obligations or~~
19 14 ~~indebtedness must be delinquent and not subject to litigation,~~
19 15 ~~claim, appeal, or review pursuant to the appropriate remedies~~
19 16 ~~of each state agency or local government entity.~~

19 17 c. The director shall establish a formal debt collection
19 18 policy for use by state agencies and local government entities
19 19 which have not established their own policy. Other state
19 20 agencies and local government entities may use the collection
19 21 facilities of the department pursuant to formal agreement with
19 22 the department. The agreement shall provide that the
19 23 information provided to the department shall be sufficient to
19 24 establish the obligation in a court of law and to render it as
19 25 a legal judgment on behalf of the state or the local
19 26 government agency. After transferring the file to the
19 27 department for collection, an individual state agency or the
19 28 local government agency shall terminate all collection
19 29 procedures and be available to provide assistance to the
19 30 department. Upon receipt of the file, the department shall
19 31 assume all liability for its actions without recourse to the
19 32 agency or the local government agency, and shall comply with
19 33 all applicable state and federal laws governing collection of
19 34 the debt. The department may use a participating agency's or
19 35 local government agency's statutory collection authority to
20 1 collect the participating agency's delinquent accounts,
20 2 charges, fees, loans, taxes, or other indebtedness owed to or
20 3 being collected by the state. The department has the powers
20 4 granted in this section regarding setoff from income tax
20 5 refunds or other accounts payable by the state for any of the
20 6 obligations transferred by state agencies or local government
20 7 agencies.

20 8 d. The department's existing right to credit against tax
20 9 due shall not be impaired by any right granted to, or duty
20 10 imposed upon, the department or other state agency or local
20 11 government agency by this section.

20 12 e. All state agencies and local government agencies shall
20 13 be given access, at the discretion of the director, to the
20 14 centralized computer data bank and, notwithstanding any other
20 15 provision of law to the contrary, may deny, revoke, or suspend
20 16 any license or deny any renewal authorized by the laws of this
20 17 state to any person who has defaulted on an obligation owed to
20 18 or collected by the state. The confidentiality provisions of
20 19 sections 422.20 and 422.72 do not apply to tax information
20 20 contained in the centralized computer data bank. State
20 21 agencies and local government agencies shall endeavor to
20 22 obtain the applicant's social security or federal tax
20 23 identification number, or state driver's license number from
20 24 all applicants.

20 25 g. The director shall adopt administrative rules to
20 26 implement this ~~section~~ subsection, including, but not limited
20 27 to, rules necessary to prevent conflict with federal laws and
20 28 regulations or the loss of federal funds, to establish
20 29 procedures necessary to guarantee due process of law, and to
20 30 provide for reimbursement of the department by other state
20 31 agencies and local government entities for the department's
20 32 costs related to debt collection for state agencies and local
20 33 government entities.

20 34 h. The director shall report quarterly to the legislative

20 35 fiscal committee, the legislative services agency, and the
21 1 chairpersons and ranking members of the joint ~~administration~~
21 2 appropriations subcommittee on administration and regulation
21 3 concerning the implementation of the centralized debt
21 4 collection program, the number of departmental collection
21 5 programs initiated, the amount of debts collected, and an
21 6 estimate of future costs and benefits which may be associated
21 7 with the collection program. It is the intent of the general
21 8 assembly that the centralized debt collection program will
21 9 result in the collection of at least two dollars of
21 10 indebtedness for every dollar expended in administering the
21 11 collection program during a fiscal year. ~~It is also the~~
~~21 12 intent of the general assembly that the centralized debt~~
~~21 13 collection program be administered without the anticipation of~~
~~21 14 future additional commitments of computer equipment and~~
~~21 15 personnel.~~

21 16 Sec. 28. Section 421.17, subsection 27, Code Supplement
21 17 2005, is amended by adding the following new paragraph:
21 18 NEW PARAGRAPH. j. There is appropriated from the amount
21 19 of any debt actually collected pursuant to this subsection an
21 20 amount, not to exceed the amount collected, which is
21 21 sufficient to pay for salaries, support, maintenance,
21 22 services, and other costs incurred by the department related
21 23 to the administration of this subsection. The director shall
21 24 report annually to the legislative fiscal committee and the
21 25 legislative services agency on any additional positions added
21 26 and the costs incurred during the previous fiscal year
21 27 pursuant to this subsection.

21 28 Sec. 29. Section 422.26, unnumbered paragraph 6, Code
21 29 2005, is amended to read as follows:

~~21 30 The department shall pay, from moneys appropriated to the~~
~~21 31 department for this purpose,~~ a recording fee as provided in
21 32 section 331.604, for the recording of the lien, or for its
21 33 satisfaction.

21 34 DIVISION III
21 35 REASSIGNMENT OF PROFESSIONAL LICENSING AND REGULATION DIVISION

22 1 Sec. 30. Section 8A.412, subsection 19, Code Supplement
22 2 2005, is amended to read as follows:

22 3 19. The superintendent of the banking division of the
22 4 department of commerce, all members of the state banking
22 5 council, and all employees of the banking division except for
~~22 6 employees of the professional licensing and regulation bureau~~
~~22 7 of the division.~~

22 8 Sec. 31. Section 524.208, Code 2005, is amended to read as
22 9 follows:

22 10 524.208 EXAMINERS AND OTHER EMPLOYEES.

22 11 The superintendent may appoint examiners and other
22 12 employees as the superintendent deems necessary to the proper
22 13 discharge of the duties imposed upon the superintendent by the
22 14 laws of this state. Pay plans shall be established for
22 15 employees, other than clerical employees or employees of the
~~22 16 professional licensing and regulation bureau of the banking~~
~~22 17 division,~~ who examine the accounts and affairs of state banks
22 18 and who examine the accounts and affairs of other persons,
22 19 subject to supervision and regulation by the superintendent,
22 20 which are substantially equivalent to those paid by the
22 21 federal deposit insurance corporation and other federal
22 22 supervisory agencies in this area of the United States.

22 23 Sec. 32. Section 524.211, subsection 5, Code 2005, is
22 24 amended to read as follows:

22 25 5. An employee of the banking division, other than the
22 26 superintendent or a member of the state banking council or one
~~22 27 of the boards in the professional licensing and regulation~~
~~22 28 bureau of the division,~~ shall not perform any services for,
22 29 and shall not be a shareholder, member, partner, owner,
22 30 director, officer, or employee of, any enterprise, person, or
22 31 affiliate subject to the regulatory purview of the banking
22 32 division.

22 33 Sec. 33. Section 534.401, subsection 1, Code 2005, is
22 34 amended to read as follows:

22 35 1. SUPERINTENDENT OF SAVINGS AND LOAN ASSOCIATIONS. The
23 1 superintendent of savings and loan associations is the
23 2 ~~administrator of professional licensing and regulation~~
~~23 3 appointed pursuant to section 546.10, subsection 2, or an~~
~~23 4 individual appointed by the administrator as provided in~~
~~23 5 section 546.10, subsection 6~~ superintendent of banking.

23 6 Sec. 34. Section 542.4, subsections 1 and 6, Code 2005,
23 7 are amended to read as follows:

23 8 1. An Iowa accountancy examining board is created within
23 9 the professional licensing and regulation bureau of the
~~23 10 banking~~ division of the department of commerce to administer

23 11 and enforce this chapter. The board shall consist of eight
23 12 members, appointed by the governor and subject to senate
23 13 confirmation, all of whom shall be residents of this state.
23 14 Five of the eight members shall be holders of certificates
23 15 issued under section 542.6, one member shall be the holder of
23 16 a license issued under section 542.8, and two shall not be
23 17 certified public accountants or licensed public accountants
23 18 and shall represent the general public. At least three of the
23 19 holders of certificates issued under section 542.6 shall also
23 20 be qualified to supervise attest services as provided in
23 21 section 542.7. A certified or licensed member of the board
23 22 shall be actively engaged in practice as a certified public
23 23 accountant or as a licensed public accountant and shall have
23 24 been so engaged for five years preceding appointment, the last
23 25 two of which shall have been in this state. Professional
23 26 associations or societies composed of certified public
23 27 accountants or licensed public accountants may recommend the
23 28 names of potential board members to the governor. However,
23 29 the governor is not bound by the recommendations. A board
23 30 member is not required to be a member of any professional
23 31 association or society composed of certified public
23 32 accountants or licensed public accountants. The term of each
23 33 member of the board shall be three years, as designated by the
23 34 governor, and appointments to the board are subject to the
23 35 requirements of sections 69.16, 69.16A, and 69.19. Members of
24 1 the board appointed and serving pursuant to chapter 542C, Code
24 2 2001, on July 1, 2002, shall serve out the terms for which
24 3 they were appointed. Vacancies occurring during a term shall
24 4 be filled by appointment by the governor for the unexpired
24 5 term. Upon the expiration of the member's term of office, a
24 6 member shall continue to serve until a successor shall have
24 7 been appointed and taken office. The public members of the
24 8 board shall be allowed to participate in administrative,
24 9 clerical, or ministerial functions incident to giving the
24 10 examinations, but shall not determine the content or determine
24 11 the correctness of the answers. The licensed public
24 12 accountant member shall not determine the content of the
24 13 certified public accountant examination or determine the
24 14 correctness of the answers. Any member of the board whose
24 15 certificate under section 542.6 or license under section 542.8
24 16 is revoked or suspended shall automatically cease to be a
24 17 member of the board, and the governor may, after a hearing,
24 18 remove any member of the board for neglect of duty or other
24 19 just cause. A person who has served three successive complete
24 20 terms shall not be eligible for reappointment, but appointment
24 21 to fill an unexpired term shall not be considered a complete
24 22 term for this purpose.

24 23 6. The administrator of the professional licensing and
24 24 regulation bureau of the banking division of the department of
24 25 commerce shall provide staffing assistance to the board for
24 26 implementing this chapter.

24 27 Sec. 35. Section 542B.3, Code 2005, is amended to read as
24 28 follows:

24 29 542B.3 ENGINEERING AND LAND SURVEYING EXAMINING BOARD
24 30 CREATED.

24 31 An engineering and land surveying examining board is
24 32 created within the professional licensing and regulation
24 33 bureau of the banking division of the department of commerce.
24 34 The board consists of four members who are licensed
24 35 professional engineers, one member who is a licensed land
25 1 surveyor or a professional engineer who is also a licensed
25 2 land surveyor, and two members who are not licensed
25 3 professional engineers or land surveyors and who shall
25 4 represent the general public. Members shall be appointed by
25 5 the governor subject to confirmation by the senate. A
25 6 licensed member shall be actively engaged in the practice of
25 7 engineering or land surveying and shall have been so engaged
25 8 for five years preceding the appointment, the last two of
25 9 which shall have been in Iowa. Insofar as practicable,
25 10 licensed engineer members of the board shall be from different
25 11 branches of the profession of engineering. Professional
25 12 associations or societies composed of licensed engineers or
25 13 licensed land surveyors may recommend the names of potential
25 14 board members whose profession is representative of that
25 15 association or society to the governor. However, the governor
25 16 is not bound by the recommendations. A board member shall not
25 17 be required to be a member of any professional association or
25 18 society composed of professional engineers or land surveyors.

25 19 Sec. 36. Section 542B.9, Code 2005, is amended to read as
25 20 follows:

25 21 542B.9 ORGANIZATION OF THE BOARD == STAFF.

25 22 The board shall elect annually from its members a
25 23 chairperson and a vice chairperson. The administrator of the
25 24 professional licensing and regulation bureau of the banking
25 25 division of the department of commerce shall hire and provide
25 26 staff to assist the board in implementing this chapter. The
25 27 board shall hold at least one meeting at the location of the
25 28 board's principal office, and meetings shall be called at
25 29 other times by the administrator at the request of the
25 30 chairperson or four members of the board. At any meeting of
25 31 the board, a majority of members constitutes a quorum.

25 32 Sec. 37. Section 543B.8, Code Supplement 2005, is amended
25 33 to read as follows:

25 34 543B.8 REAL ESTATE COMMISSION CREATED == STAFF.

25 35 A real estate commission is created within the professional
26 1 licensing and regulation bureau of the banking division of the
26 2 department of commerce. The commission consists of five
26 3 members licensed under this chapter and two members not
26 4 licensed under this chapter and who shall represent the
26 5 general public. At least one of the licensed members shall be
26 6 a licensed real estate salesperson, except that if the
26 7 licensed real estate salesperson becomes a licensed real
26 8 estate broker during a term of office, that person may
26 9 complete the term, but is not eligible for reappointment on
26 10 the commission as a licensed real estate salesperson. A
26 11 licensed member shall be actively engaged in the real estate
26 12 business and shall have been so engaged for five years
26 13 preceding the appointment, the last two of which shall have
26 14 been in Iowa. Professional associations or societies of real
26 15 estate brokers or real estate salespersons may recommend the
26 16 names of potential commission members to the governor.
26 17 However, the governor is not bound by their recommendations.
26 18 A commission member shall not be required to be a member of
26 19 any professional association or society composed of real
26 20 estate brokers or salespersons. Commission members shall be
26 21 appointed by the governor subject to confirmation by the
26 22 senate. Appointments shall be for three-year terms and shall
26 23 commence and end as provided in section 69.19. A member shall
26 24 serve no more than three terms or nine years, whichever is
26 25 less. No more than one member shall be appointed from a
26 26 county. A commission member shall not hold any other elective
26 27 or appointive state or federal office. Vacancies shall be
26 28 filled for the unexpired term by appointment of the governor
26 29 and are subject to senate confirmation. A majority of the
26 30 commission members constitutes a quorum. The administrator of
26 31 the professional licensing and regulation bureau of the
26 32 banking division shall hire and provide staff to assist the
26 33 commission with implementing this chapter.

26 34 The administrator of the professional licensing and
26 35 regulation bureau of the banking division of the department of
27 1 commerce shall hire a real estate education director to assist
27 2 the commission in administering education programs for the
27 3 commission.

27 4 Sec. 38. Section 543B.54, Code 2005, is amended to read as
27 5 follows:

27 6 543B.54 REAL ESTATE EDUCATION FUND.

27 7 The Iowa real estate education fund is created as a
27 8 financial assurance mechanism to assist in the establishment
27 9 and maintenance of a real estate education program at the
27 10 university of northern Iowa and to assist the real estate
27 11 commission in providing an education director. The fund is
27 12 created as a separate fund in the state treasury, and any
27 13 funds remaining in the fund at the end of each fiscal year
27 14 shall not revert to the general fund, but shall remain in the
27 15 Iowa real estate education fund. Twenty-five dollars per
27 16 license from fees deposited for each real estate salesperson's
27 17 license and each broker's license shall be distributed and are
27 18 appropriated to the board of regents for the purpose of
27 19 establishing and maintaining a real estate education program
27 20 at the university of northern Iowa. The remaining moneys in
27 21 the fund shall be distributed and are appropriated to the
27 22 professional licensing and regulation bureau of the banking
27 23 division of the department of commerce for the purpose of
27 24 hiring and compensating a real estate education director and
27 25 regulatory compliance personnel.

27 26 Sec. 39. Section 543D.4, unnumbered paragraph 1, Code
27 27 2005, is amended to read as follows:

27 28 A real estate appraiser examining board is established
27 29 within the professional licensing and regulation bureau of the
27 30 banking division of the department of commerce. The board
27 31 consists of seven members, two of whom shall be public members
27 32 and five of whom shall be real estate appraisers.

27 33 Sec. 40. Section 544A.1, unnumbered paragraph 2, Code
27 34 2005, is amended to read as follows:
27 35 The architectural examining board is created within the
28 1 professional licensing and regulation bureau of the banking
28 2 division of the department of commerce. The board consists of
28 3 five members who possess a certificate of registration issued
28 4 under section 544A.9 and who have been in active practice of
28 5 architecture for not less than five years, the last two of
28 6 which shall have been in Iowa, and two members who do not
28 7 possess a certificate of registration issued under section
28 8 544A.9 and who shall represent the general public. Members
28 9 shall be appointed by the governor subject to confirmation by
28 10 the senate.

28 11 Sec. 41. Section 544A.5, Code 2005, is amended to read as
28 12 follows:

28 13 544A.5 DUTIES.

28 14 The architectural examining board shall enforce this
28 15 chapter, shall make rules for the examination of applicants
28 16 for the certificate of registration provided by this chapter,
28 17 and shall, after due public notice, hold meetings each year
28 18 for the purpose of examining applicants for registration and
28 19 the transaction of business pertaining to the affairs of the
28 20 board. Examinations shall be given as often as deemed
28 21 necessary, but not less than annually. Action at a meeting
28 22 shall not be taken without the affirmative votes of a majority
28 23 of the members of the board. The administrator of the
28 24 professional licensing and regulation bureau of the banking
28 25 division of the department of commerce shall hire and provide
28 26 staff to assist the board with implementing this chapter.

28 27 Sec. 42. Section 544B.3, unnumbered paragraph 1, Code
28 28 2005, is amended to read as follows:

28 29 A landscape architectural examining board is created within
28 30 the professional licensing and regulation bureau of the
28 31 banking division of the department of commerce. The board

28 32 consists of five members who are professional landscape
28 33 architects and two members who are not professional landscape
28 34 architects and who shall represent the general public.
28 35 Members shall be appointed by the governor, subject to
29 1 confirmation by the senate. A professional member shall be
29 2 actively engaged in the practice of landscape architecture or
29 3 the teaching of landscape architecture in an accredited
29 4 college or university, and shall have been so engaged for five
29 5 years preceding appointment, the last two of which shall have
29 6 been in Iowa. Associations or societies composed of
29 7 professional landscape architects may recommend the names of
29 8 potential board members to the governor. However, the
29 9 governor is not bound by the recommendations. A board member
29 10 shall not be required to be a member of any professional
29 11 association or society composed of professional landscape
29 12 architects.

29 13 Sec. 43. Section 544B.5, Code 2005, is amended to read as
29 14 follows:

29 15 544B.5 DUTIES.

29 16 The board shall enforce this chapter, shall make rules for
29 17 the examination of applicants for licensure, and, after public
29 18 notice, shall conduct examinations of applicants for
29 19 licensure. The board shall keep a record of its proceedings.
29 20 The board shall adopt an official seal which shall be affixed
29 21 to all certificates of licensure granted. The board may make
29 22 other rules, not inconsistent with law, as necessary for the
29 23 proper performance of its duties. The board shall maintain a
29 24 roster showing the name, place of business, and residence, and
29 25 the date and number of the certificate of licensure of every
29 26 professional landscape architect in this state. The
29 27 administrator of the professional licensing and regulation
29 28 bureau of the banking division of the department of commerce
29 29 shall hire and provide staff to assist the board in
29 30 implementing this chapter.

29 31 Sec. 44. Section 544C.1, subsection 2, Code Supplement
29 32 2005, is amended to read as follows:

29 33 2. ~~"Division"~~ "Bureau" means the professional licensing
29 34 and regulation bureau of the banking division of the
29 35 department of commerce.

30 1 Sec. 45. Section 544C.2, subsection 1, Code Supplement
30 2 2005, is amended to read as follows:

30 3 1. An interior design examining board is established
30 4 within the ~~division~~ bureau. The board consists of seven
30 5 members: five members who are interior designers who are
30 6 registered under this chapter and who have been in the active
30 7 practice of interior design for not less than five years, the
30 8 last two of which shall have been in Iowa; and two members who

30 9 are not registered under this chapter and who shall represent
30 10 the general public. Members shall be appointed by the
30 11 governor subject to confirmation by the senate.
30 12 Sec. 46. Section 544C.3, unnumbered paragraph 2, Code
30 13 Supplement 2005, is amended to read as follows:
30 14 The administrator of the ~~division~~ bureau shall provide
30 15 staff to assist the board in the implementation of this
30 16 chapter.

30 17 Sec. 47. Section 544C.5, unnumbered paragraph 1, Code
30 18 Supplement 2005, is amended to read as follows:

30 19 Each applicant for registration must meet the interior
30 20 design education and practical training requirements adopted
30 21 by rule by the board, and have passed an examination
30 22 prescribed by the board that is task-oriented, focused on
30 23 public safety, and validated by a recognized testing agency.
30 24 The ~~division~~ bureau shall register an individual who submits
30 25 an application to the board on the form and in the manner
30 26 prescribed by the board as a registered interior designer if
30 27 the individual satisfies the following requirements:

30 28 Sec. 48. Section 546.2, subsection 3, paragraph g, Code
30 29 2005, is amended by striking the paragraph.

30 30 Sec. 49. Section 546.3, Code 2005, is amended to read as
30 31 follows:

30 32 546.3 BANKING DIVISION.

30 33 1. The banking division shall regulate and supervise banks
30 34 under chapter 524, debt management licensees under chapter
30 35 533A, money services under chapter 533C, delayed deposit
31 1 services under chapter 533D, mortgage bankers and brokers
31 2 under chapter 535B, regulated loan companies under chapter
31 3 536, and industrial loan companies under chapter 536A, and
31 4 shall perform other duties assigned to the division by law.
31 5 The division is headed by the superintendent of banking who is
31 6 appointed pursuant to section 524.201. The state banking
31 7 council shall render advice within the division when requested
31 8 by the superintendent.

31 9 2. The banking division shall administer and manage the
31 10 professional licensing and regulation bureau within the
31 11 division. The division shall separately account for funds of
31 12 the bureau. However, the division may allocate costs for
31 13 administrative, technical, support, and other shared services
31 14 across the entire division.

31 15 Sec. 50. Section 546.5, Code 2005, is amended to read as
31 16 follows:

31 17 546.5 SAVINGS AND LOAN DIVISION.

31 18 The savings and loan division shall regulate and supervise
31 19 savings and loan associations and savings banks under chapter
31 20 534. The division is headed by the superintendent of savings
31 21 and loan associations who shall be ~~appointed pursuant to~~
31 22 ~~section 534.401 the superintendent of banking.~~

31 23 Sec. 51. Section 546.10, Code Supplement 2005, is amended
31 24 to read as follows:

31 25 546.10 PROFESSIONAL LICENSING AND REGULATION ~~DIVISION~~
31 26 BUREAU == SUPERINTENDENT OF SAVINGS AND LOAN ASSOCIATIONS.

31 27 1. The professional licensing and regulation bureau of the
31 28 banking division shall administer and coordinate the licensing
31 29 and regulation of several professions by bringing together the
31 30 following licensing boards:

31 31 a. The engineering and land surveying examining board
31 32 created pursuant to chapter 542B.

31 33 b. The Iowa accountancy examining board created pursuant
31 34 to chapter 542.

31 35 c. The real estate commission created pursuant to chapter
32 1 543B.

32 2 d. The architectural examining board created pursuant to
32 3 chapter 544A.

32 4 e. The landscape architectural examining board created
32 5 pursuant to chapter 544B.

32 6 f. The real estate appraiser examining board created
32 7 pursuant to section 543D.4.

32 8 g. The interior design examining board created pursuant to
32 9 chapter 544C.

32 10 2. ~~The division bureau~~ is headed by the administrator of
32 11 professional licensing and regulation who shall be ~~appointed~~
32 12 ~~by the governor subject to confirmation by the senate and~~
32 13 ~~shall serve a four-year term that begins and ends as provided~~
32 14 ~~in section 69.19 the superintendent of banking. A vacancy~~
32 15 ~~shall be filled for the unexpired portion of the term in the~~
32 16 ~~same manner as a full-term appointment is made. The~~
32 17 administrator shall appoint and supervise staff and shall
32 18 coordinate activities for the licensing boards within the
32 19 division bureau. The administrator shall act as a staff

~~32 20 person to one or more of the licensing boards.~~

32 21 3. The licensing and regulation examining boards included
32 22 in the ~~division bureau~~ pursuant to subsection 1 retain the
32 23 powers granted them pursuant to the chapters in which they are
32 24 created, except for budgetary and personnel matters which
32 25 shall be handled by the administrator. Each licensing board
32 26 shall adopt rules pursuant to chapter 17A. Decisions by a
32 27 licensing board are final agency actions for purposes of
32 28 chapter 17A.

32 29 Notwithstanding subsection 5, eighty=five percent of the
32 30 funds received annually resulting from an increase in
32 31 licensing fees implemented on or after April 1, 2002, by a
32 32 licensing board or commission listed in subsection 1, is
32 33 appropriated to the professional licensing and regulation
32 34 ~~division bureau~~ to be allocated to the board or commission for
32 35 the fiscal year beginning July 1, 2002, and succeeding fiscal
33 1 years, for purposes related to the duties of the board or
33 2 commission, including but not limited to additional full=time
33 3 equivalent positions. The director of the department of
33 4 administrative services shall draw warrants upon the treasurer
33 5 of state from the funds appropriated as provided in this
33 6 section and shall make the funds available to the professional
33 7 licensing ~~division and regulation bureau~~ on a monthly basis
33 8 during each fiscal year.

33 9 4. The professional licensing and regulation bureau of the
33 10 banking division of the department of commerce may expend
33 11 additional funds, including funds for additional personnel, if
33 12 those additional expenditures are directly the cause of actual
33 13 examination expenses exceeding funds budgeted for
33 14 examinations. Before the ~~division bureau~~ expends or encumbers
33 15 an amount in excess of the funds budgeted for examinations,
33 16 the director of the department of management shall approve the
33 17 expenditure or encumbrance. Before approval is given, the
33 18 director of the department of management shall determine that
33 19 the examination expenses exceed the funds budgeted by the
33 20 general assembly to the ~~division bureau~~ and the ~~division~~
33 21 ~~bureau~~ does not have other funds from which the expenses can
33 22 be paid. Upon approval of the director of the department of
33 23 management, the ~~division bureau~~ may expend and encumber funds
33 24 for excess examination expenses. The amounts necessary to
33 25 fund the examination expenses shall be collected as fees from
33 26 additional examination applicants and shall be treated as
33 27 repayment receipts as defined in section 8.2, subsection 8.

33 28 5. Fees collected under chapters 542, 542B, 543B, 543D,
33 29 544A, ~~and 544B, and 544C~~ shall be paid to the treasurer of
33 30 state and credited to the general fund of the state. All
33 31 expenses required in the discharge of the duties and
33 32 responsibilities imposed upon the professional licensing and
33 33 regulation bureau of the banking division of the department of
33 34 commerce, the administrator, and the licensing boards by the
33 35 laws of this state shall be paid from moneys appropriated by
34 1 the general assembly for those purposes. All fees deposited
34 2 into the general fund of the state, as provided in this
34 3 subsection, shall be subject to the requirements of section
34 4 8.60.

34 5 ~~6. The administrator of professional licensing and~~
34 6 ~~regulation is the superintendent of savings and loan~~
34 7 ~~associations. The administrator may appoint an individual to~~
34 8 ~~act as the superintendent who shall serve as the~~
34 9 ~~superintendent at the pleasure of the administrator.~~

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